

SCHUYLER, ROCHE & ZWIRNER
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JAMES J. McNAMARA
Attorney at Law
TEL 312 565.1120
FAX 312 565.8300
jmcnamara@srzlaw.com

January 22, 2008

**Via Federal Express And
Certified U.S. Mail, Return Receipt Requested**

Mr. Joseph Fletcher
4452 Ocean Height Court
Seaside, California 93955

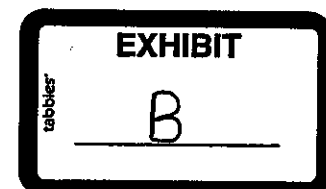
Re: Frank L. DiLeonardo, Jr. as trustee of the Frank L. DiLeonardo, Jr. Trust,
and Timothy N. Tatum, an individual, v. Joseph Fletcher, an individual
Case No. 07 C 6617

Dear Mr. Fletcher:

As you know, this firm represents Frank L. DiLeonardo, Jr. and Timothy N. Tatum (the "Plaintiffs"). This notice is being sent pursuant to Paragraph 5 of the Settlement Agreement that you signed on January 15, 2008.

You are in default under the terms of the Settlement Agreement for failure to make the first installment payment of \$30,000.00 that was due on January 21, 2008. Accordingly, under the terms of the Settlement Agreement, you have ten (10) business days to cure your default by paying the past due installment of \$30,000.00 to the Plaintiffs. If I do not receive your \$30,000.00 payment by the close of business on February 6, 2008, then pursuant to Paragraph 5 of the Settlement Agreement, the Plaintiffs will cause the Consent to Judgment that you signed in connection with the Settlement Agreement to be filed in an appropriate court and will proceed to collect \$300,000.00, plus any additional pre-judgment interest accrued on that amount from the date of entry as well as costs and attorney's fees incurred in collecting the unpaid balance.¹

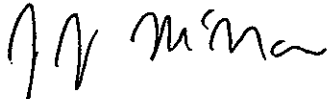
¹ Please be advised that your next installment payment in the amount of \$40,000.0 is still due on February 15, 2008.



Mr. Joseph Fletcher
January 22, 2008
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The Plaintiffs reserve and do not waive any of their rights under the Settlement Agreement. I invite your attorneys to contact me at their earliest convenience should they have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "JJ McNamara". The signature is fluid and cursive, with the first two letters of the first name being prominent.

James J. McNamara

515010v1

cc: Eric Patt, Esq. (via Federal Express)
Karyn P. Forbes, Esq. (via Federal Express)
Frank L. DiLeonardo, Jr. (via e-mail dioinc@aol.com)
Timothy N. Tatum (via e-mail tim@foxriver.com)

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Sent To Joseph Fletther

Street, Apt. No., or PO Box No. 4452 Ocean Height Court

City, State, ZIP+4 Seaside, CA 93955

PS Form 3800, June 2002 See Reverse for Instructions

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Sent To **Joseph Fletcher**

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City, State, ZIP+4 **Seaside, CA 93955**

PS Form 3811, February 2004 See Reverse for Instructions

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SENDER: COMPLETE THIS SECTION

1. Article Addressed to:

JOSEPH FLETCHER
4452 Ocean Height Court
Seaside, CA 93955

2. Article Number (Transfer from service label) **7005 8570 0001 3310 7920**

PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ X *[Signature]* ☐ Agent

B. Received by *[Printed Name]* **Joe Fletcher** ☐ Addressee

C. Date of Delivery **1/25/08**

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☒ No

102595-02-M-1540